

**SECOND DAY
(Continued)**

(Tuesday, February 14, 1950)

AFTER RECESS

The Senate met at 11:00 o'clock a.m. and was called to order by the President pro tempore.

Message from the Governor

The following message, received from the Governor today, was laid before the Senate, read and referred to the Committee on Nominations of the Governor:

Austin, Texas,
February 13, 1950.

To the Senate of the Fifty-first Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be District Attorney of the 104th Judicial District, to fill the unexpired term of Esco Walter, resigned:

John A. Willoughby of Stamford, Jones County.

To be Branch Pilot for the Sabine Bar, Pass and Tributaries for two-year term to expire February 9, 1952:

Captain Bert Jackson of Jefferson County.

To be Branch Pilot for the Galveston Bar and Houston Ship Channel for two-year term to expire February 3, 1952:

Captain N. J. Morina of Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Senate Concurrent Resolution 7

Senator Carney, by unanimous consent, offered the following resolution:

S. C. R. No. 7, Granting Mrs. E. C. Henderson permission to sue the State.

Whereas, On September 6, 1949, Mrs. E. C. Henderson was involved in a collision of her automobile with a Motor Grader owned by the Texas State Highway Department on U. S. Highway 59 about three miles south of Jefferson, Texas, in which her automobile was damaged and she suffered some personal injury, and,

Whereas, The said Mrs. E. C. Henderson desires to institute suit against the State of Texas and its Highway Department to recover compensation for such damages suffered by her in said collision; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the said Mrs. E. C. Henderson be and she is hereby granted consent to sue the State of Texas and its State Highway Department for their damages sustained by her resulting from said collision. Citation served upon the Attorney General shall be sufficient service in such suit which may be filed and tried under the same rules and evidence as in similar cases, this consent to sue not being an admission of any fact or liability of the State or its Highway Department.

The resolution was read and was referred to the Committee on Civil Jurisprudence.

Executive Session

On motion of Senator Strauss and by unanimous consent, the Senate at 11:10 o'clock a.m., agreed to hold an executive session immediately.

Accordingly, the floor and galleries were cleared of those not entitled to attend the executive session, and the doors leading from the Senate Chamber were closed.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following nominations of the Governor had been confirmed by the Senate:

To be members of the Board of Directors of the Texas College of Arts and Industries at Kingsville for six-year terms to expire August 31, 1955:

Mrs. Frank Lewis of San Antonio, Bexar County;

Frank C. Smith of Houston, Harris County;

R. C. Eckhardt of Kingsville, Kleberg County.

To be members of the State Board of Public Accountancy for two-year terms to expire September 4, 1951:

J. A. Phillips of Houston, Harris County;

O. H. Maschek of Beaumont, Jefferson County;

C. A. Freeze of San Angelo, Tom Green County.

To be a member of the State Board of Architectural Examiners for a six-year term to expire July 26, 1955:

William C. Baxter of Weslaco, Hidalgo County.

To be members of the Advisory Hospital Council for six-year terms to expire August 13, 1955:

N. T. Underwood of Coleman, Coleman County;

Dr. W. P. Harrison of Teague, Freestone County;

Bert Giesecke of Austin, Travis County;

Forest G. Sears of Snyder, Scurry County.

To be a member of the Texas Aeronautics Commission for a six-year term to expire September 4, 1955:

Al Buchanan of San Antonio, Bexar County.

To be members of the State Board of Examiners in the Basic Sciences:

For six-year terms to expire July 23, 1955:

Dr. Henry B. Hardt of Fort Worth, Tarrant County;

Dr. Asa C. Chandler of Houston, Harris County;

For four-year terms to expire July 23, 1953:

Dr. W. Mayne Longnecker of Dallas, Dallas County;

Dr. Cornelia M. Smith of Waco, McLennan County;

For two-year terms to expire July 23, 1951:

Brother Raphael Wilson of Austin, Travis County;

Dr. Ophelia C. Wesley of Brownwood, Brown County.

To be members of the Burial Association Rate Board for six-year terms to expire June 12, 1955:

W. W. Rix of Lubbock, Lubbock County;

Harry Skinner of Edinburg, Hidalgo County.

To be members of the Brazos River Conservation and Reclamation District Board of Directors for six-year terms to expire February 1, 1955:

C. M. Caldwell of Abilene, Taylor County;

William Hallmark of Dublin, Erath County;

George G. Chance of Bryan, Brazos County;

Herbert Hilburn of Plainview, Hale County;

Graham Stewart of Graham, Young County;

Walter Humphrey of Fort Worth, Tarrant County;

Oxsheer Smith of Cameron, Milam County.

To be members of the State Board of Chiropractic Examiners for six-year terms to expire August 11, 1955:

Dr. Marshall Harvey of Lubbock, Lubbock County;

Dr. Edward M. Kott of Austin, Travis County.

To be members of the State Board of Barber Examiners for two-year terms to expire October 14, 1951:

Charles W. Dick of Abilene, Taylor County;

C. L. Parks of Grand Prairie, Dallas County.

To be members of the Civil Judicial Council for six-year terms to expire July 1, 1955:

H. F. Montgomery of Houston, Harris County;

Gordon Simpson of Dallas, Dallas County;

Randolph L. Carter of San Antonio, Bexar County.

To be members of the Board of Chiropractic Examiners:

For six-year terms to expire August 4, 1955:

Dr. Joe Busby of Abilene, Taylor County;

Dr. M. B. McCoy of Paris, Lamar County;

Dr. C. C. Phillips of Mission, Hidalgo County;

For four-year terms to expire August 4, 1953:

Dr. Walter H. Fischer of Temple, Bell County;

Dr. D. E. Biser of Dallas, Dallas County;

For two-year terms to expire August 4, 1951:

Dr. John Glasin of Galveston, Galveston County;

Dr. L. K. Griffin of Fort Worth, Tarrant County;

Dr. R. S. Florence of Tyler, Smith County.

To be a member of the Board of Chiropractic Examiners to fill the unexpired term of Dr. L. George Grupe, deceased, term to expire August 4, 1953:

Dr. Charles Courtion of San Angelo, Tom Green County.

To be a Director of the Dallas County Flood Control District for a six-year term to expire September 4, 1955:

Ray A. Foley of Dallas, Dallas County.

To be members of the State Board of Registration for Professional Engineers for six-year terms to expire September 24, 1955:

Datus E. Proper of San Antonio, Bexar County;

John H. Murrell of Dallas, Dallas County.

To be Branch Pilots for the Port of Galveston and Texas City:

For two-year terms to expire July 26, 1951:

Captain Basil V. O'Brien of Galveston County;

Captain Sherman B. Wetmore of Galveston County;

Captain Thomas N. Wilroy of Galveston County;

For a two-year term to expire October 27, 1951:

Captain Charles H. Heidrick of Galveston County.

To be members of the Good Neighbor Commission of Texas for six-year terms to expire June 19, 1955:

Ramon Guerra of McAllen, Hidalgo County;

C. W. Meadows, Sr., of San Angelo, Tom Green County;

Neville Penrose of Fort Worth, Tarrant County.

To be a member of the Good Neighbor Commission of Texas to fill the unexpired term of Honorable Karl Hoblitzelle, resigned, term to expire June 19, 1953:

Dr. Julian Saldivar of Dallas, Dallas County.

To be a member of the Good Neighbor

Commission of Texas to fill the unexpired term of General Jonathan Wainwright, resigned, term to expire June 19, 1953:

Tom Slick of San Antonio, Bexar County.

To be members of the Game, Fish and Oyster Commission for six-year terms to expire September 1, 1955:

Walter Lechner of Dallas, Dallas County;

Scott Schreiner of Kerrville, Kerr County.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel:

For two-year terms to expire September 22, 1951:

Captain J. F. Cook of Harris County;

Captain Holt P. Daniels of Harris County;

Captain Edward B. Mercer of Harris County;

For two-year terms to expire November 17, 1951:

Captain Charles H. Fuller of Harris County;

Captain Coney Townsend McMains of Harris County.

To be a member of the State Board of Hairdressers and Cosmetologists to fill the unexpired term of B. L. Autry, term to expire August 9, 1953:

Lee Self of El Paso, El Paso County.

To be a member of the State Board of Hairdressers and Cosmetologists for a six-year term to expire August 9, 1955:

Mrs. Jean Tomberlin of Amarillo, Potter County.

To be chairman of the Industrial Accident Board for a six-year term to expire September 1, 1955:

L. H. Flewellen of Eastland, Eastland County.

To be judge of the 46th Judicial District to fill the unexpired term of Honorable C. Y. Welch, deceased:

Jesse Owens of Vernon, Wilbarger County.

To be judge of the 134th Judicial District:

W. M. Taylor, Jr., of Dallas, Dallas County.

To be judge of the 92nd Judicial District to fill the unexpired term of Honorable Bryce Ferguson, deceased:

S. N. McWhorter of Weslaco, Hidalgo County.

To be judge of the 73rd Judicial District to fill the unexpired term of Honorable John F. Onion, retired:

Delos Finch of San Antonio, Bexar County.

To be judge of the 64th Judicial District to fill the unexpired term of Honorable C. D. Russell, resigned:

E. A. Bills of Littlefield, Lamb County.

To be chief justice, Fourth District Court of Civil Appeals to fill the unexpired term of Chief Justice Edward W. Smith, retired:

W. O. Murray of San Antonio, Bexar County.

To be associate justice, Fourth District Court of Civil Appeals to fill the unexpired term of Judge W. O. Murray, resigned:

L. Broeter of Alice, Jim Wells County.

To be judge of the 79th Judicial District to fill the unexpired term of Judge L. Broeter, resigned:

Sam G. Reams of Falfurrias, Brooks County.

To be district attorney of the 79th Judicial District to fill the unexpired term of Sam G. Reams, resigned:

Homer E. Dean, Jr., of Alice, Jim Wells County.

To be judge of the 38th Judicial District to fill the unexpired term of Honorable Kenneth K. Woodley, resigned:

Ross E. Doughty of Uvalde, Uvalde County.

To be district attorney of the 38th Judicial District to fill the unexpired term of Honorable Ross E. Doughty, resigned:

J. W. Weatherby of Kerrville, Kerr County.

To be district attorney of the 42nd Judicial District to fill the unexpired term of Honorable Thomas E. Hayden, deceased:

Wiley L. Caffey of Abilene, Taylor County.

To be Judge of the 34th Judicial

District to fill the unexpired term of Honorable W. D. Howe, deceased:

Roy D. Jackson of El Paso, El Paso County.

To be District Attorney of the 34th Judicial District to fill the unexpired term of Roy D. Jackson, resigned:

William E. Clayton of El Paso, El Paso County.

To be District Attorney of the 100th Judicial District to fill the unexpired term of Leonard King, resigned:

Allen Harp of Childress, Childress County.

To be District Attorney of the 35th Judicial District to fill the unexpired term of Ralston P. Haun, resigned:

Bill Allcorn of Brownwood, Brown County.

To be members of the Board of Regents of Lamar State College of Technology:

For six-year terms to expire October 5, 1955:

Lester Clark of Breckenridge, Stephens County;

Otho Plummer of Beaumont, Jefferson County.

For four-year terms to expire October 5, 1953:

Clark Barrett of Orange, Orange County;

Joseph Mares of Texas City, Galveston County;

Glenn H. McCarthy of Houston, Harris County.

For two-year terms to expire October 5, 1951:

Ernest R. Winstel of Port Arthur, Jefferson County;

W. R. (Bob) Smith, Jr., of San Antonio, Bexar County;

Dr. A. P. Beutel of Freeport, Brazoria County.

To be a member of the State Library and Historical Commission for a six-year term to expire September 28, 1955:

Mrs. Herbert Gambrell of Dallas, Dallas County.

To be a member of the Liquor Control Board for a six-year term to expire November 15, 1955:

J. Gordon (Obie) Bristow of Big Spring, Howard County.

To be a member of the State Board of Medical Examiners to fill the unexpired term of Dr. Denton Kerr, resigned, term to expire April 13, 1955:

Dr. Charles D. Reece of Houston, Harris County.

To be Pilot Commissioners for Matagorda and Lavaca Bays for two-year terms to expire October 11, 1951:

Carlton Crawford of Palacios, Matagorda County;

C. E. Fisher of Port Lavaca, Calhoun County;

H. C. Hartzog of Port Lavaca, Calhoun County;

T. A. McDonald of Long Mott, Calhoun County;

Jack Fletcher of Port Lavaca, Calhoun County.

To be a member of the Board of Directors, Nueces River Conservation and Reclamation District for a six-year term to expire February 1, 1955:

Paul Green of Freer, Duval County.

To be members of the State Board of Naturopathic Examiners:

For six-year terms to expire November 1, 1955:

Dr. William O. Nance of Fort Worth, Tarrant County;

Dr. J. G. W. Shepard of Houston, Harris County;

For four-year terms to expire November 1, 1953:

Dr. Henry Schlichting of Midland, Midland County;

Dr. D. W. Miles of Houston, Harris County;

For two-year terms to expire November 1, 1951:

Dr. J. P. Knoblauch of San Antonio, Bexar County;

Dr. J. M. Peery of San Benito, Cameron County.

To be a member of the Board of Directors, Nueces River Conservation and Reclamation District for a six-year term to expire February 1, 1955:

Grady Mahaffey of Uvalde, Uvalde County.

To be members of the State Board of Optometry for six-year terms to expire August 11, 1955:

Dr. Marcus Norvell of Corpus Christi, Nueces County;

Dr. Fred Pray, Jr., of Beaumont, Jefferson County.

To be Pecos River Compact Commissioner to fill the unexpired term of Charles Miller, deceased, term to expire May 5, 1955:

J. C. Wilson of Pecos, Reeves County.

To be members of the State Parks Board for six-year terms to expire May 15, 1955:

Frank D. Quinn of Austin, Travis County;

Wendell Mayes of Brownwood, Brown County.

To be Branch Pilots for Port Aransas Bar, Corpus Christi Bay and Tributaries for two-year terms to expire December 1, 1951:

Captain Van Albert Court of Nueces County;

Captain Harold Percy Lister, Jr., of Nueces County.

To be a member of the San Antonio River Canal and Conservancy District to fill the unexpired term of Reagan Houston, resigned, term to expire May 5, 1951:

Melrose Holmgreen of San Antonio, Bexar County.

To be Director of the Sabine River Authority for a two-year term to expire July 6, 1951:

C. T. Crosby, Jr., of Gilmer, Upshur County.

To be Pilot Commissioners for Sabine Bar, Pass and Tributaries for two-year terms to expire June 16, 1951:

T. T. Hunt of Beaumont, Jefferson County;

A. M. Phelan of Beaumont, Jefferson County;

Neal D. Rader of Port Arthur, Jefferson County;

Mack A. Pond of Port Arthur, Jefferson County;

Howard Peterson of Orange, Orange County.

To be Branch Pilots for Sabine Bar, Pass and Tributaries for two-year terms:

Carl M. Bancroft of Jefferson County, (term to expire August 1, 1951);

G. H. McFarland of Jefferson County, (term to expire September 8, 1951);

J. M. Cox of Jefferson County, (term to expire September 8, 1951);

S. W. Levingston, Jr., of Jefferson County, (term to expire October 7, 1951);

Arne Pedersen of Jefferson County, (term to expire October 7, 1951).

Captain J. E. Gonzales of Jefferson County, (term to expire November 4, 1951);

G. Rodney Robinson of Jefferson County, (term to expire December 8, 1951).

To be members of the San Jacinto State Park Commission for two-year terms to expire May 23, 1951:

Miss Mary Tod of Houston, Harris County;

Will Kendall of Houston, Harris County;

O. H. Carlisle of Houston, Harris County.

To be a member of the Board of Directors, Sabine River Authority to fill the unexpired term of John Wrathner, resigned, term to expire July 6, 1955:

O. L. Norton of Longview, Gregg County.

To be members of the Board for Texas State Hospitals and Special Schools:

For six-year terms to expire February 15, 1955:

Claud Gilmer of Rocksprings, Edwards County;

Mrs. Lawrence Tarlton of Fort Worth, Tarrant County;

For four-year terms to expire February 15, 1953:

Dr. W. C. Goddard of Austin, Travis County;

Dr. Edgar Ezell of Fort Worth, Tarrant County;

Bishop John E. Hines of Austin, Travis County;

For two-year terms to expire February 15, 1951:

W. W. Barnett of Mexia, Limestone County;

W. N. Martin of Vernon, Wilbarger County;

H. B. Zachry of San Antonio, Bexar County.

To be a member of the Board for Texas State Hospitals and Special Schools to fill the unexpired term

of R. C. Lanning, resigned, term to expire February 15, 1955:

J. Rutledge Hill of Dallas, Dallas County.

To be a member of the Texas Employment Commission to fill the unexpired term of Robert M. McKinley, deceased, term to expire November 21, 1950:

Dean W. Maxwell of Houston, Harris County.

To be a member of the Board of Regents of the Texas State College for Women to fill the unexpired term of Rupert Craig, resigned, term to expire January 10, 1955:

Reagan Houston III, of San Antonio, Bexar County.

To be Commissioners to the National Conference of Commissioners on Uniform State Laws for four-year terms to expire July 7, 1953:

Ben H. Powell of Austin, Travis County;

Lucian Morehead of Plainview, Hale County;

Julius C. Jacobs of Corsicana, Navarro County;

Tom Martin Davis of Houston, Harris County;

Joe Estes of Dallas, Dallas County.

To be members of the Board of Directors of the Upper Red River Flood Control District for six-year terms to expire July 3, 1955:

O. W. Stroup of Quitaque, Briscoe County;

E. W. Scheid of Quitaque, Briscoe County.

To be a member of the Board of Directors of the Upper Red River Flood Control District to fill the unexpired term of J. S. Whaley, deceased, term to expire July 3, 1953:

C. L. Sloan of Memphis, Hall County.

To be a member of the State Board of Water Engineers to fill the unexpired term of John W. Pritchett, retired, term to expire August 19, 1955:

Andrew P. Rollins of Dallas, Dallas County.

To be a member of the Board of Directors of the Texas State University for Negroes, to fill the unexpired term of Galloway Calhoun, resigned, term to expire Feb. 1, 1955:

Will Clayton of Houston, Harris County.

To be a member of the Board of Directors of the Texas State University for Negroes, to fill the unexpired term of Dr. J. N. R. Score, deceased, term to expire Feb. 1, 1953:

Tom Miller of Austin, Travis County.

To be a member of the State Board of Water Engineers to fill the unexpired term of E. V. Spence, resigned, term to expire August 19, 1953:

James S. Guleke of Amarillo, Potter County.

To be members of the Youth Development Council:

For six-year terms to expire July 23, 1955:

Reverend Walter K. Kerr of Kerrville, Kerr County, (chairman);

Lewis Nordyke of Amarillo, Potter County;

For a four-year term to expire July 23, 1953:

Leslie Jackson of Dallas, Dallas County;

For two-year terms to expire July 23, 1951:

Rt. Reverend Paul J. Ehlinger of San Antonio, Bexar County;

Mrs. R. J. Turrentine of Denton, Denton County.

To be a member of the Youth Development Council to fill the unexpired term of S. L. Bellamy, resigned, term to expire July 23, 1953:

W. D. Whalen of McAllen, Hidalgo County.

To be Presiding Judge of the 5th Administrative Judicial District, to fill the unexpired term of Honorable L. Broeter, resigned:

W. R. Blalock of Hidalgo County.

To be State Commissioner of Education:

Dr. James Winfred Edgar of Travis County.

To be Secretary of State for term to begin February 10, 1950:

John Ben Shepperd of Gladewater, Gregg County.

In Legislative Session

The president pro tempore called the Senate to order as in Legislative Session at 12:05 o'clock p.m.

Message from the House

Austin, Texas,
February 13, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H. C. R. No. 10 by viva voce vote.

H. B. No. 2, Increasing the tax levied on cigarettes, effective until August 31st, 1957.

H. C. R. No. 13, In memory of William M. "Tudey" Thornton, distinguished writer for the Dallas Morning News.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives

House Bill on First Reading

The following bill, received from the House today, was read before the Senate, read and referred to the committee indicated:

H. B. No. 2, To the Committee on State Affairs.

Recess

On motion of Senator Hardeman, the Senate at 12:10 o'clock p.m., took recess until 11:00 o'clock a.m. tomorrow.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to recess.

In Memory of
John B. Connally, Sr.

(Senate Resolution 27)

Senator Bell offered the following resolution:

Whereas, on January 28, 1950, the sudden death of John B. Connally, Sr., brought sorrow to his many friends throughout the State, and especially to his life-long neighbors of Wilson County; and

Whereas, John B. Connally, Sr., was born at Union Valley, Wilson County, on April 18, 1887, the son of John Wesley and Louisa Wardell Connally, both members of early families of the county; and

Whereas, On January 27, 1908, he married Miss Lela Wright, herself a member of a pioneer Wilson County family, and together in a happy partnership of forty-two years they reared a splendid family of seven children and, with these children, have created a respected and honorable position that is acknowledged by all who know them; and

Whereas, The success of this outstanding citizen was not limited to the worldly fields of business, ranching and public office, but extended to his character as an upright and respected man of high principle; and

Whereas, His community and State are the better for the example of his life and accomplishments; now, therefore, be it

Resolved, By the Senate of the Fifty-first Legislature of Texas, that it hereby expresses its sorrow at the loss sustained by the State of Texas in the passing of John B. Connally, Sr., and that copies of this resolution shall be sent to the members of his family; and be it further

Resolved, That a copy of this resolution be spread upon the minutes of the Senate Journal and that when the Senate adjourns today it do so in the memory of John B. Connally, Sr.

The resolution was read and was adopted.